

CHRISTOPHER L. GREER,)
)
Plaintiff,)
)
v.) No. 4:09CV703 TIA
)
MICHAEL J. ASTRUE, Commissioner)
of Social Security,)
)
Defendant.)

This matter is before the Court on Plaintiff's Application for Attorney's Fees Under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. § 2412. The parties consented to the jurisdiction of undersigned pursuant to 28 U.S.C. § 636(c).

In the instant case, Defendant has filed a response stating that it has no objection to Plaintiff's request for attorney's fees. The undersigned thus finds that plaintiff is entitled to attorney's fees in the amount of \$2,598.11 and directs the Commissioner to issue a check in the amount of \$2,598.11 made payable to Traci L. Severs. See Ratliff v. Astrue, 540 F.3d 800, 802 (8th Cir. 2008) (attorney fee award can be paid directly to plaintiff's counsel). Although Defendant noted how the filing fee

is a cost which is distinguished from an expense under the EAJA, Defendant nonetheless agreed that Plaintiff should be compensated for the filing fee of \$350.00 from the Judgment Fund administered by the United States Treasury. Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Application for Attorney Fees Under the Equal Access to Justice Act (Docket No. 15) is **GRANTED**. Traci L. Severs, Plaintiff's counsel, shall be awarded attorney fees in the amount of \$2,598.11 and reimbursed the filing fee of \$350.00.

Dated this 23rd day of December, 2009.

/s/ Terry L. Adelman

UNITED STATES MAGISTRATE JUDGE